

Express Mail Label No.: EV829091733US  
Date of Deposit: July 25, 2006

Attorney Docket No.: 24852-501 CIP2

7-26-06

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Chiao, *et al.* CONF. NO.: 9975  
SERIAL NUMBER: 10/616,649 EXAMINER: NOT YET ASSIGNED  
FILING DATE: July 9, 2003 ART UNIT: 1614  
FOR: **METHODS OF TREATING CANCER WITH HDAC INHIBITORS**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby makes of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. In accordance with MPEP §609(III)(A)(2), copies of the cited U.S. patents and U.S. publications are not required.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-identified application. Accordingly, no fee or certification is believed to be required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. **50-0311**, Reference No. **24852-501 CIP2**, Customer No. **35437**.

Respectfully submitted,

Dated: July 25, 2006



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**TRANSMITTAL LETTER**

Transmitted herewith for filing in the present application are the following:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (2 pages), in duplicate;
3. Cited References A25-A34; B14-B16; C83-C140; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000.

The Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. **50-0311** Ref. No. **24852-501 CIP2**. Please address all correspondence to Customer No. **35437**. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Dated: July 25, 2006

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Modified Form 1449/PTO

**SUPPLEMENTAL  
INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number	10/616,649
Filing Date	07/09/03
First Named Inventor	Chiao
Group Art Unit / Conf. No.	1614 / 9975
Examiner Name	Not Yet Assigned
Attorney Docket Number	24852-501 CIP2

**U.S. PATENT DOCUMENTS**

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date
	A25*	4,690,918	09/01/87	Beppu, et al.			
	A26*	5,654,333	08/05/97	The United States of America as represented by the Department of Health and Human Services			
	A27*	6,239,176	05/29/01	Beacon Laboratories, Inc. et al.			
	A28*	6,262,116	07/17/01	Sloan-Kettering Institute for Cancer Research			
	A29*	6,451,334	09/17/02	Perrine			
	A30*	6,495,719	12/17/02	CircaGen Pharmaceutical			
	A31*	2003/0114525	06/19/03	Kammer, et al.			
	A32*	2004/0132643	07/08/04	Fojo, et al.			
	A33*	2004/0167184	08/26/04	Wiech, et al.			
	A34	6,495,719	12/17/02	Lan-Hargest, et al.			

**FOREIGN PATENT DOCUMENTS**

Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	English Yes	No
	B14*	WO	98/39965	Beacon Laboratories, LLC	09/17/98	X	
	B15*	WO	02/15921	The Government of the United States of America	02/28/02	X	
	B16*	WO	02/055017	Wake Forest University	07/18/02	X	

**OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C83*	"Aton Pharma, Inc. Announces Initiation of Two Phase II Trials to Evaluate Efficacy of HDAC Inhibitor SAHA", October 30, 2002.
	C84*	"Aton Pharma, Inc. Announces Phase I Clinical Trial of SAHA in Advanced Leukemias", July 1, 2003.
	C85*	"Aton Pharma, Inc. Appoints Judy H. Chiao, M.D., as Vice President, Oncology Clinical Research and Development", September 20, 2002.
	C86*	"Aton Pharma, Inc. Presents Phase I Trial Data of Anti-Cancer Agent SAHA in Patients with hematological Malignancy at ASCO", June 2, 2003.
	C87*	"Aton Pharma, Inc. Presents Phase I Trial Data on Anti-Cancer Agent SAHA at EORTC/NCI/AACR Symposium", November 21, 2002.
	C88*	"Aton Pharma, Inc. Received Orphan Drug Designation for SAHA in Multiple Myeloma and Initiates Phase I

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
		Trial", October 13, 2003.
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	C130	Weiser et al. (2001), J. Immunotherapy, 24:151-61, "Sequencial 5-Aza-2'deoxyctidine-Depsipeptide FR901228 Treatment Induces Apoptosis Preferentially in Cancer Cells and Facilitates Their Recognition by Cytolytic T Lymphocytes Specific for NY-ESO-1".
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	C132*	Zhang, M et al., Cell Stress & Chaperones, (1998), Vol 3, No. 1, pp 57-66, "Heat-Induced Proteolysis of HSF Causes Premature Deactivation of the Heat Shock Response in Nb2 Lymphoma Cells".
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	C140	Zhang, C et al, The Journal of Investigative Dermatology (2003), Vol. 121, No. 1, pp Abstract 1189, "The histone inhibitor suberoylanilide hydroxamic acid induces apoptosis in cutaneous T cell lymphoma cells".

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 10/650,025, filed August 26, 2003, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.